

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's Motion for Extension of Time and to Respond to Defendant's Motion Opposition (Docket No. 16). On April 9, 2010, Plaintiff Percilia Jones filed this instant employment discrimination complaint against Defendant Hertz Corporation.

The undersigned notes that the pleading fails to include a certificate of service so as to demonstrate when, or if, Defendant Hertz Corporation was served with the Motion for Extension of Time and to Respond to Defendant's Motion Opposition (Docket No. 16). Fed. R. Civ. P. 5(a)(1) (general requirement of service of all papers on all parties). Rule 5(d) requires that all papers include a certificate of service to reflect that a copy was sent to opposing counsel as required by Rule 5(a), Fed. R. Civ. P. Accordingly, Plaintiff's Motion for Extension of Time and to Respond to Defendant's Motion Opposition (Docket No. 16) should be denied without prejudice. Nonetheless, the undersigned will grant the request. Accordingly,

IT IS HEREBY ORDERED that Plaintiff ‘s Motion for Extension of Time and to Respond to Defendant’s Motion Opposition (Docket No. 16) is GRANTED. Plaintiff shall file her opposition no later than November 10, 2010.

IT IS FURTHER ORDERED that in the future, Plaintiff shall include a certificate of service¹ on each separate pleading she files in this matter as stated in this Order, or the pleading will be returned to Plaintiff without filing.

Dated this 20th day of October, 2010.

/s/Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE

¹An acceptable certificate of service could state, "I certify that a copy of the foregoing was mailed, postage prepaid, in the U.S. Mail on this ____ day of August, 2010, to: Hertz Corporation, 225 Brae, Park Ridge, NJ 07656." A certificate of service in approximately this format must be included on every pleading submitted to the Court for filing.